

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JEFFREY M. RINDONE AND
SCOTT W. RINDONE,

Defendants.

4:15CR3083

ORDER

Defendant Scott Rindone has moved to continue the pretrial motion deadline, (filing no. 18), because the defendant and defense counsel need additional time to fully review the discovery received before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Scott Rindone's motion to continue, (filing no. 18), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before November 3, 2015.
- 3) **As to both defendants**, the trial of this is continued pending resolution of any pretrial motions filed.
- 4) Based upon the showing set forth in defendant Scott Rindone's motion, **as to both defendants**, the ends of justice served by granting the motion outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and November 3, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

October 2, 2015.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge